

LCB File No. R097-04

**PROPOSED REGULATION OF THE
DEPARTMENT OF EDUCATION**

(This version replaces the initial agency draft posted on May 11, 2004)

The Nevada State Board of Education will conduct a workshop on May 7, 2004 to consider a proposal from the Teacher Quality Committee at its March meeting related to regulatory changes to NAC 391.558 beginning with Subsection 7.

The proposed amendments to NAC 391.558 -Appointment of review team; duties of review team; provisional approval of course; final approval by board and renewal of approval; report by school district; payment of expenses. (NRS 391.019, 391.037, 391.038) – will change the 5-year cycle for the approval of programs to a 7-year cycle as well as require an annual report from all approved institutions as stipulated in the proposed provisions of the amendments.

The recent change of the NCATE cycle of 5 to 7 years precipitated this consideration for the Nevada State Board of Education to adopt with a similar cycle for its approved programs of courses of study of teacher education programs in Nevada. It was further recommended that the Nevada Administrative Code be amended to require the institution to submit a mandatory annual report to include, but not limited to, Title II information including passing rates of state teacher competency, candidates placement data, program improvement plans, results of follow-up surveys submitted by completers (former candidates) and Nevada school employers of the newly-hired completers, etc.

Updated language received 5/20/04:

NAC 391.558 Appointment of review team; duties of review team; provisional approval of course; final approval by Board and renewal of approval; report by school district; payment of expenses.

1. The Board will appoint a review team to review each application received by the Superintendent of Public Instruction. The Superintendent of Public Instruction shall submit to the Board a list of persons whom he recommends for membership on the review team. At least 2 months before the date of the visit required by subsection 5, the Superintendent of Public Instruction shall send a list of his recommendations to the chief administrative officer of the institution that submitted the application. The list must include a description of the professional position, experience and areas of expertise of each person recommended by the Superintendent of Public Instruction. If the chief administrative officer has concerns about any of the person recommended by the Superintendent of Public Instruction, he shall, within 30 days after receipt of the list, provide to the Superintendent of Public Instruction, for transmittal to the Board a written response which describes his concerns. The Board will address the concerns of the chief

administrative officer before it appoints members to the review team. Employees or other members of the institution shall not contact the persons recommended for membership on the review team before the Board formally appoints members to the team.

2. Upon receipt of the recommendations and a written response, if one has been provided by the chief administrative officer, the Board will appoint no more than seven members to the review team. The Board may, for good cause, refuse to appoint any of the persons recommended by the Superintendent of Public Instruction. If possible, members of the review team must reside in the area where the institution that submitted the application is located. The review team must include, but is not limited to:

(a) One representative from a public educational institution in this state, other than the applicant, which offers a course of study and training for the education of teachers or other educational personnel;

(b) One representative from a private educational institution in this state, other than the applicant, which offers a course of study and training for the education of teachers or other educational personnel;

(c) At least one licensed teacher who has expertise in the course of study and training offered by the applicant;

(d) At least one representative of a local school district;

(e) One member of the Board; and

(f) One member of the general public.

3. The review team shall:

(a) Examine the application submitted; and

(b) Decide whether to recommend that the Board grant provisional approval of the course of study and training.

4. If the Board grants provisional approval of a course of study and training, the applicant may offer the course of study and training to students pending final approval by the Board. Members of the general public who inquire about the status of the course of study and training must be informed that it has been provisionally approved and that final approval is pending.

5. If the Board grants provisional approval of a course of study and training, the review team shall, within 12 months after provisional approval has been granted, visit the site of instruction to verify the information provided by the institution pursuant to subsection 1 of NAC 391.557. The visit must not exceed 5 days.

6. Within 30 days after the visit, the chairman of the review team shall send to the applicant a draft report which summarizes the results of the review conducted by the review team. Within 30 days after receipt of the draft report by the applicant, the applicant may file a reply to the draft report with the Superintendent of Public Instruction for transmittal to the Board and the review team which describes the resolution of any deficiencies in the application that were addressed in the draft report. If the applicant files a reply, the review team shall consider the reply in deciding whether to recommend approval of the course of study and training.

7. Within 60 days after the visit, the review team shall decide whether to recommend approval of the course of study and training and shall submit a final report to the superintendent of public instruction for transmittal to the board. The final report must state whether the review team recommends approval of the course of study and training. Upon transmittal of the final report to the board, the superintendent of public instruction shall inform the applicant of the recommendation of the review team. The review team shall recommend approval of the course of study and training if the applicant complies with the:

(a) Requirements of NAC 391.557;

(b) Standards developed by the Interstate New Teacher Assessment and Support Consortium, as set forth in the Model Standards for Beginning Teacher Licensing and Development adopted pursuant to NAC 391.556 and as applicable, the standards developed by nationally recognized professional associations of educational personnel other than teachers: or

(c) Program standards approved by the National Council for Accreditation of Teacher Education, if applicable.

8. Upon receipt of the final report, the board will grant approval of the course of study and training if the applicant complies with the:

(a) Requirements of NAC 391.557;

(b) Standards developed by the Interstate New Teacher Assessment and Support Consortium, as set forth in the Model Standards for Beginning Teacher Licensing and Development adopted pursuant to NAC 391.556 and as applicable, the standards developed by nationally recognized professional associations of educational personnel other than teachers: or

(c) Program standards approved by the National Council for Accreditation of Teacher Education, if applicable.

If the board denies approval, the applicant may appear before the board, and is entitled to a hearing and judicial review pursuant to subsection 5 of NRS 391.038.

9. In addition to the standards of approval set forth in subsections 7 and 8, the review team shall recommend approval, and the board will approve, a course of study and training for the education of teachers and other educational personnel for teaching in the secondary grades if:

(a) Enrollment in the course of study and training is restricted to persons who hold a bachelor's degree in a field recognized by the commission pursuant to NAC 391.1301; and

(b) The course of study and training includes course work described in subsection 3 of NAC 391.120.

10. Except as otherwise provided in subsection 11, approval of a course of study and training pursuant to this section is valid for ~~{5}~~ 7 years. During the ~~{5-year}~~ 7-year period of approval, the institution *shall provide a mandatory annual report to include, but not limited to:*

(a) Annual Title II institutional report;

(b) Placement data of completers;

(c) Institutional program improvement plans;

(d) Report of results of follow-up survey submitted by completers (former candidates) and by Nevada school employers of completers, etc.; and

(e) In a format to be determined by the state department staff.

Shall notify the superintendent of public instruction *within 90 days* of any changes in the information that it provided in its application pursuant to subsection 1 of NAC 391.557, except for a change in the information required by paragraph (e) of that subsection. Upon expiration of each ~~{5-year}~~ 7-year period of approval, or during a regularly scheduled review of the institution by the National Council of Accreditation of Teacher Education, the superintendent of public instruction may recommend to the board that approval of the course of study and training be renewed for an additional ~~{5-years}~~ 7-years. *This change is effective immediately and will be applied to all institutions that received their approval since the last cycle of the NCATE renewal process that occurred after January 1, 2003.*

11. The board may require a review of a course of study and training before the expiration of the ~~{5-year}~~ 7-year period of approval if:

(a) During 1 year, 10 or more students who are enrolled in the course of study and training take specialty or pedagogy competency tests, or both, that are required by this state and the percentage of those students who pass the tests is:

(1) Before January 1, 2004, less than 90 percent; and

(2) On or after January 1, 2004, less than 95 percent;

(b) Pursuant to the information collected by the department pursuant to subsection 12, the percentage of probationary licensed educational personnel employed by school districts in this state who completed the course of study and training and who are terminated from employment or who are not reemployed:

(1) Before January 1, 2004, is 10 percent or greater for 1 year; and

(2) On or after January 1, 2004, is 5 percent or greater for 1 year; or

(c) The board requests a review.

Based upon a review conducted pursuant to this subsection, the board may renew the approval of a course of study and training or revoke the approval of a course of study and training.

12. On or before July 1 of each year, each school district in this state shall report to the department the:

(a) Number of probationary licensed educational personnel that the school district terminated from employment or did not reemploy for another school year; and

(b) For each licensee who is reported pursuant to paragraph (a) the:

(1) Subject area taught by the licensee, if applicable;

(2) Educational institution that the licensee attended;

(3) Course of study and training completed by the licensee; and

(4) Reason that the school district terminated the licensee from employment or did not reemploy the licensee. Each school district shall report the information required by this subsection without disclosing the identity of an individual licensee or otherwise violating the confidentiality of a licensee.

13. The applicant shall pay to the board a fee equal to:

(a) The expenses incurred on behalf of the review team for preparation of the documentation required by this section; and

(b) The travel expenses and per diem allowances to which the review team is entitled which are related to the visit of the site of instruction.